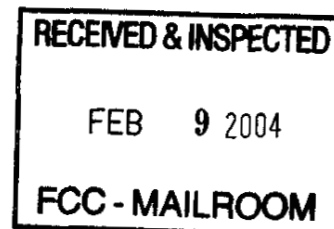


System: 165.135.210.45 sec fax,sec, 4181087 --- Time Printed: 02-09-2004 10:45:19

From: 9093811698
Media: Fax 11 pages
Subject:
Status:
Received: 05:14 PM 02/06/04



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Herbert R. Fischer, Ph.D., Superintendent

San Bernardino County Superintendent of Schools

RECEIVED & INSPECTED

FEB 9 2004

FCC - MAILROOM

FAX COVER SHEET

DATE: 2-6-04

TO: FCC

PHONE:

FAX: 202-418-0187

FROM: VAL LUNA

PHONE: 909-386-2700

FAX: 909-386-2759

RE: WAIVER REQUEST

Number of pages including cover sheet: 11

CC DOCKET No. 02-6

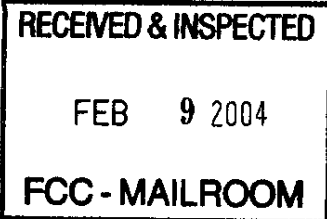
Message

The following documents are included for your review:

- 1) Waiver Request Letter (2 pages)
- 2) SUMMARY-LEVEL Supporting Documentation (7 pages)
- 3) Change of Contact (1 page)

Please don't hesitate to contact me should you require further information.

Val Luna
val_luna@sbcss.k12.ca.us



Herbert R. Fischer, Ph.D., Superintendent

San Bernardino County Superintendent of Schools

SENT VIA FAX

WAIVER REQUEST
CC Docket No. 02-6

February 6, 2004

Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

SUBJECT: Waiver Request for the Billed Entity Baker Valley Unified School District
Billed Entity Number: 143713
471 Application Number: 336126
Funding Request Number: 908727
SLD Decision Letter Dated: December 9, 2003
Funding Year: Year 6 (2003/2004)

We are in receipt of the SLD Administrator's Decision on Appeal dated December 9, 2003, whereby the Funding Request Number 908727 is denied in full. Please accept this Waiver Request as a follow up to the denial. The rulings state the "... SLD will deny a funding request in its entirety if 30% or more of the dollar amount of the request in Form 471 Block 5 Item 23K is for ineligible services." "SLD cannot accept revised support documentation on appeal, which asks that the ineligible services to be removed from the funding request and only the eligible services to be funded. SLD does not allow applicants to amend their original amount of funds requested once the application has been filed unless there was an error on the part of the SLD. The one-time charge for advertising included in your monthly recurring charges accounted for more than 30% (\$245.55/\$542.73=45.25%). It is ultimately the applicant's responsibility to ensure their application be in compliance with the FCC rules. Therefore, the appeal is denied."

After reviewing the decision in its entirety, I must explain the extenuating circumstances involved with the original funding request and subsequent appeal. Bert Estes had been administering the E-Rate program here at the Office of the San Bernardino County Superintendent of Schools since its inception. However, during the Funding Year 6 (2003/2004) filing process, Bert was training a replacement (Kim Friends). He allowed her to file the original Form 471 application and write the subsequent Letter of Appeal. Bert retired in June 2003 and Kim left this organization in August 2003. I have assumed the E-Rate program administration duties since that time. I must admit the Form 471 appears to have been filed without much attention to detail and the Letter of Appeal seems to have been written hastily. I fully concur with the decision of the SLD, however, these examples exhibit a true disservice to Baker Valley Unified School District in securing much-needed E-Rate discounts. We filed on behalf of Baker Valley Unified School District because they had no resource to commit to the E-Rate process.

Please accept this request to waive the rules to accept revised support documentation demonstrating ineligible services within the 30% tolerance. Also, please accept this request to

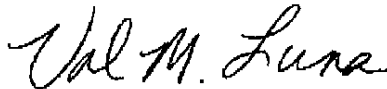
Waiver Request
Federal Communications Commission
February 6, 2004
Page 2

waive the rules to accept a request to reduce the funding request to 12 times the revised monthly example submitted ($\$523.82 \times 12 = \$6,285.84$). I have included summary level detail for your review. However, should the FCC require the entire detailed statement for November 22, 2001, I will be happy to submit it.

Thank you for your consideration of this request. Please don't hesitate to contact me if you should need further information or require assistance with regard to this Waiver Request.

Contact Information: Val Luna
San Bernardino County Superintendent of Schools
601 North E Street
San Bernardino, CA 92410-3093
Phone: 909-386-2700
FAX: 909-386-2759
E-Mail: val_luna@sbcss.k12.ca.us

Sincerely,



Val M Luna
Program Manager, Projects/Technical Services
Information Technology

cc: Nancy DeNolf - Administrator

SBC **Nov 22, 2001**

Account Number: 960-449-8133 **555 5 0066** **Statement Date:** Nov 22, 2001

BAKER UNFD SCHL DISTR
PO BOX 460
BAKER, CA
92308-0460

Page:

Previous Charges	Amount of last bill	341.3
	Payment(s) Thank you	
	Summary Bill	Page 4 452.7
	Credits and Adjustments	
	Individual Accounts	Page 3 16.3
	Credit Balance	127.7
Current Charges	Total Average Cost Per Minute of Use	\$0.0794
	Individual Accounts	Page 3 495.39
	Summary Bill Arrangement	Page 4 570
		501.09
Total Due	Due By Dec 17, 2001	501.09
	LATE CHARGE REMINDER A late charge may apply on Dec 26, if your payment has not been received.	
Whom to Call	For payment arrangements and billing questions:	800-834-133
	Please visit our website at:	www.pacbell.com
WE HAVE A NEW NAME	Family is important to us. And as a proud member of the SBC Communications Inc. family of companies we're changing our name to reflect that. We're now SBC Pacific Bell Telephone Co.	

PAID

Check # 884401
 Date 11-16-02

373.39
 84.46
 288.93

960-449-8133

CURRENT CHARGES 501.09

INELIGIBLE MCI Long Distance <5.70>
 <2.46>

760 733-4605

CURRENT CHARGES 492.93

LATE CHARGES 32.36

30.89

(960-449-8133) 492.93

(760-733-4605) 30.89

523.82



Summary Bill
Account Number
980 440-8123 555 8 0000

Statement Date
Nov 22, 2001

Page 2

Summary of Current Charges

This summary is for informational purposes only.

Current Charges for Individual Accounts

• Pacific Bell

Total Average Cost Per Minute of Use \$0.0794

Bill Section	Calls	Subtotal	Amount
Monthly Charges:			
Monthly Service		100.54	
Directory Assistance Charges	2	.82	
Total Monthly Charges			101.46
Additional Charges			.15
Calls:			
Direct Dialed Calls			
Local	648	22.05	
Local Toll	742	318.61	
Total Call(s) Charges			337.61
Charges for Network Access for Interstate Calling, Imposed by Federal Communications Commission		39.60	
Federal Universal Service Fee		3.87	
CA High Cost Fund Surcharge - A:	29	8.31	7.18
California Teleconnect Fund Surcharge		1.28	
Universal Lifeline Telephone Service Surcharge		6.22	
Rate Surcharge		7.21 ea	
State Regulatory Fee		.47	
California Relay Service and Communications Devices Funds		2.08	
Equal Access Recovery Charge		.50	
Total Taxes & Surcharges			54.04
Total Pacific Bell Current Charges			482.93
• MCI WorldCom			
Description			Amount
Other MCI WorldCom Charges			2.46
Total MCI WorldCom Account Summary Charges			2.46

Total Current Charges for Individual Accounts \$485.39

• Current Charges for Summary Bill Arrangement

Bill Section	Amount
Monthly Charges for Customized Billing Services	8.70

Total Current Charges for Summary Bill Arrangement \$8.70



Summary Bill
Account Number
960 448-8133 555 S 0066

Statement Date
Nov 22, 2001

Page 3

Questions about your Summary Bill?

800-634-1339

Individual Accounts Summary

	Account Number	Type*	Balances	Payments	Credits	Current Charges
1.	760 733-4387					244.67
2.	760 733-4567				16.32cm	166.26
3.	760 856-2211					84.46
Total Individ Accts Summary					\$16.32	\$495.39



Summary Bill
Account Number
960 449-8133 555 S 0066

Statement Date
Nov 22, 2001

Page

Questions about your Summary Bill?

800-834-1339

Summary Bill Account Activity

• Payments on Previous Charges

Date	Description	Amount
1. Nov 19	Payment	452

Total Payments Applied thru Nov 27, 2001 (see page 1) \$452

Summary Bill Arrangement Charges

• Monthly Charges for Customized Billing Services

• Charge on Nov 22, 2001

Description	Volume	Rate	Amount
2. Account(s) on Summary Billing	3 acct(s)	1.90 each	5.70

Total Customized Billing Services

Total Summary Bill Arrangement Charges \$5.70

Cordless Phone Offer Extended

The expiration date for the Cordless Phone offer in the enclosed Pacific Bell Calling newsletter is extended to November 30, 2001.

Account Number 760-733-4605-958-5 3482
Statement Date Nov 22, 2001
BAKER UNFD SCHL-DISTR
P.O. BOX 460
BAKER CA
92309-0460
Page 1

Previous Charges
Amount of last bill 128.09
Payment(s) Thank you 29.95
Unpaid Balance. Please pay now (please deduct if paid) 98.14

Current Charges
Pacific Bell 32.36
Total Average Cost Per Minute of Use \$ 1070
Current Charges due by Dec 17, 2001 32.36

Total Due \$130.50
LATE CHARGE REMINDER: A late charge may apply on Dec 26 if your payment has not been received.
Local Services and Related Charges \$21.23
(see reverse "Special Payment Conditions")

Whom to Call
Pacific Bell - payment arrangements and billing questions: 800-834-1339
Pacific Bell - adding, changing or disconnecting service: 800-834-2339
Please visit our website at: www.pacbell.com

WE HAVE A NEW NAME
Family is important to us! And as a proud member of the SBC Communications Inc. family of companies we're changing our name to reflect that. We're now SBC Pacific Bell Telephone Co.



Account Number
760 733-4605 958 S 3182

Statement Date
Nov 22, 2001

Page

Summary of Current Charges

This summary is for informational purposes only.

• Pacific Bell

Total Average Cost Per Minute of Use \$1.070

Bill Section	Page	Calls	Minutes	Amount
Monthly Charges	3			12.38
Additions & Changes	3			2.00
Direct Dialed - Local Toll Calls	3	87	136.0	14.56
Taxes & Surcharges	4			5.44
Total Pacific Bell Current Charges		87	136.0	32.36

Included in the Cost Per Minute calculation (does not include
Natl 411 or Reverse DA calls).

Total Summary of Current Charges \$32.36



Account Number
760 733-4905 add S 3182

Statement Date
Nov 22, 2001

Page 3

Questions about your Pacific Bell bill?

800-834-1234

Pacific Bell Monthly Charges

Monthly Service from Nov 22, 2001 thru Dec 21, 2001

10.91

Service Charges

Date	Description	Amount
1. Nov 27	Late Charge on Unpaid Balance as of Nov 27, 2001	\$95.12 1.47

Total Pacific Bell Monthly Charges

11.38

Additions & Changes - Summary

This is an informational summary.

Account Number	Statement Date	Current Balance	Previous Balance	Change
760 733-4905	Nov 22, 2001	\$11.38	\$11.38	\$0.00

Additions & Changes - Detail

Total Credits are \$0.02
Total Debits are \$0.00

Activity on 760 733-4905

Order 2222222

Monthly Service Charges

Change in Monthly Rate from Oct 1, 2001 thru Nov 21, 2001

Description	Qty	Partial Month	One-Time	Amount
2. Rate Change Federal Universal Service Fee \$.01 Per Month	1	.02ea		.02ea

Total for 760 733-4905

.02ea

.02ea

Total Additions & Changes

\$0.02

Pacific Bell Direct Dialed Calls

Local Toll Calls

Date	Time	Place and Number Called	Type	Rate	Minutes	Amount
3. Oct 1	7:35am	MT PASS CA 760 858-2248	Direct	Night	1	.09
4. Oct 1	8:24am	APPLE VLY CA 760 343-2234	Direct	Day	1	.11
5. Oct 2	11:28am	MARSHALL CA 909 860-7837	Direct	Day	1	.11
6. Oct 2	11:58am	APPLE VLY CA 760 222-2801	Direct	Day	2	.22
7. Oct 2	12:10pm	S BERNARDCA 909 388-2851	Direct	Day	1	.11
8. Oct 2	7:28am	VICTORVY CA 760 862-1754	Direct	Night	1	.09
9. Oct 2	8:20am	S BERNARDCA 909 387-3313	Direct	Day	5	.55
10. Oct 2	8:28am	SC NWHL CASCA 681 295-0187	Direct	Day	1	.11
11. Oct 2	10:12am	RIVERSIDE CA 909 828-8824	Direct	Day	1	.11
12. Oct 2	3:41pm	COLTON CA 909 433-4818	Direct	Day	2	.22
13. Oct 2	3:48pm	COLTON CA 909 433-4818	Direct	Day	2	.22
14. Oct 2	7:35am	MT PASS CA 760 858-2248	Direct	Night	2	.18
15. Oct 2	2:01pm	S BERNARDCA 909 387-8848	Direct	Day	1	.11
16. Oct 2	3:21pm	COMPTON CA 310 537-6403	Direct	Day	1	.11
17. Oct 2	4:48pm	COLTON CA 909 433-4774	Direct	Day	3	.33
18. Oct 2	3:28pm	VICTORVY CA 760 343-7288	Direct	Day	1	.11
19. Oct 2	8:27am	MT PASS CA 760 858-2248	Direct	Day	2	.22
20. Oct 2	1:10pm	S BERNARDCA 909 387-8848	Direct	Day	1	.11
21. Oct 2	8:49am	LEE VININGCA 760 847-8895	Direct	Day	1	.11

continues

6 7044 BCES 1E 7607334605 908 823000480 8004 RTEN 3883



Herbert R. Fischer, Ph.D., Superintendent

San Bernardino County Superintendent of Schools

February 5, 2004

Contact Information Change Request
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

To Whom It May Concern:

This letter is to notify the School and Libraries Division of a permanent change of contact information.

Form 471 Application Number: **336126**
Billed Entity Number: **143713**

OLD Information

Item 6a. Contact Person: Kim Friends
Item 6b. Address: 601 North E Street
San Bernardino, CA 92410
Item 6c. Phone Number: (909) 386-2713
Item 6d. Fax Number: (909) 386-2759
Item 6e. E-Mail: kim_friends@sbcss.k12.ca.us
Item 6f. Holiday/Summer Contact: Kim Friends

NEW Information

Item 6a. Contact Person: **Val Luna**
Item 6b. Address: **601 North E Street**
San Bernardino, CA 92410
Item 6c. Phone Number: **(909) 386-2700**
Item 6d. Fax Number: **(909) 386-2759**
Item 6e. E-Mail: val_luna@sbcss.k12.ca.us
Item 6f. Holiday/Summer Contact: Laura Marion
laura_marion@sbcss.k12.ca.us

Sincerely,

Herbert R. Fischer, Ph.D.
County Superintendent

Cc: Nancy DeNolf, Administrator, Information Technology
Val Luna, Program Manager, Projects and Technical Services
Mark Kemp, Superintendent, Baker Valley Unified School District
Jim Kemock, Business Manager

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